

State of California



Fair Political Practices Commission

P.O. BOX 807 • SACRAMENTO, 95804 • • • 1100 K STREET BUILDING, SACRAMENTO, 95814

Technical Assistance • • Administration • • Executive/Legal • • Enforcement
(916) 322-5662 322-5660 322-5901 322-6441

June 17, 1985

Joan Johnson
409 E. San Mateo Street
Avenal, CA 93204

Re: Your Request for Advice
Our File No. A-85-122

Dear Ms. Johnson:

Thank you for your letter requesting advice concerning your duties under the conflict of interest provisions of the Political Reform Act.^{1/}

You are a member of the governing board of the Reef-Sunset Unified School District. Your husband is employed as a teacher by the District. You have asked whether, due to your husband's employment with the District, you are required to disqualify yourself from participating in the governing board's decision on the 1985-86 agreement between the District and the local teachers' association.

I have enclosed a copy of a letter we wrote to Robert Calfee (our file No. A-84-227) in response to a question very similar to the one you have posed. In the Calfee letter, we concluded that the Political Reform Act does not prohibit a school district governing board member from participating in decisions affecting the salaries of the district's teachers when his or her spouse is employed as a teacher in the district. I have also enclosed a copy of our letter to Margaret O'Donnell (our file No. A-84-044) which confirms our advice to Dr. Calfee.

Our advice is confined to the provisions of the Political Reform Act and does not cover provisions of the Education Code or other laws which may affect your ability to participate in

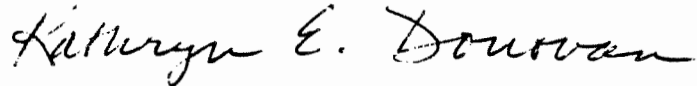
^{1/} Government Code Sections 81000-91015.

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the governing board's decisions. You may wish to consult with the County Counsel or the school district's attorney for advice as to any other applicable laws.

If you have any further questions regarding this matter, please contact me at (916) 322-5901.

Very truly yours,

A handwritten signature in cursive script that reads "Kathryn E. Donovan".

Kathryn E. Donovan
Counsel
Legal Division

KED:plh
Enclosure

409 E. San Mateo St.
Avenal, CA 93204
May 19, 1985

Fair Political Practices
Commission
P.O. Box 807
Sacramento, CA 95804

I am an appointed member of the Reef-Sunset Unified School District Governing Board. My husband is employed by the district as a teacher.

Before my term expires, the board will be voting on the 1985-86 agreement between the district and the local teachers' association (teachers' contract), which, among other things, affects my spouse's salary.

What guidelines should I follow in this situation? Is it proper for me to abstain from voting? I would appreciate knowing the position of the Commission in this regard.

Sincerely yours,

Joan Johnson

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